/41 cont./

634 About twenty villages were under the jurisdiction of each great chief. He himself was elected for life by the plenary assembly of all the arms-bearing men of those villages over [666] which he was to rule. All the men over 16-17 years of age had the right to vote; women were excluded from voting.

It was left to each village to decide which great chief it wished to be under. If, therefore, after the death of a great chief who had ruled over twenty villages, twelve villages voted for one great chief and the remaining eight villages for another, two great chiefs were elected, and each one ruled over those villages that had elected him. As a consequence, after the death of each great chief the administrative unit changed, though this did not necessarily bring about a reduction in the size of the administrative units in the course of time, for every village wanted to be under the most powerful neighboring great chief.

634 There was an exception to the lifetime tenure of the ●687 great chief in case he was guilty of grave negligence. The village chiefs then convoked a new plenary assembly, which elected a new great chief. In any event, the election of the great chief took place in the largest village of the administrative district of the deceased or deposed great chief.

634 The great chief had to appoint the village chiefs. More-622 over, he was the judge in all important affairs. If he meted 681 out fines, the money involved was distributed according to the following system: the first part was distributed in equal shares to the arms-bearing men within his district. The second part was double the amount of the first and was distributed in equal shares to the village chiefs. The third part, three times the 634 amount of the first part, went to the great chief and constituted [681] an important source of income for him. He derived additional [651] income from the tax which had to be paid once a year and amounted to four piasters (equivalent to about one mark) per person and one piaster for each rice field. The great chief could use the money as he saw fit.

634 In order to have his orders carried out, the great chief had
701 at his command all the arms-bearing men in his administrative district, but he was not permitted to abuse his power of command in such a way as to prevent his subjects from earning their livelihood.

622 As has been mentioned, the great chief appointed the
634 village chiefs (šău pă) in the villages under his jurisdiction. Like him, they were appointed for life unless they committed a grave offense. In such cases, the arms-bearing men of the
[692] village brought their complaints against their village chief to
[687] the great chief. The latter investigated the case and appointed another village chief if he felt that there was sufficient justification.

[692] The village chief was, first of all, the judge in all minor matters. Moreover, he had to collect the taxes for the great
[651] chief and see to it that the great chief's orders were carried out. Parallel to the authority of the great chief, the village
[701] chief had at his disposal the arms-bearing men in his village, to whom he gave corresponding orders. Naturally, therefore, the same limitations applied to him as to the great chief.

622 The great chief had four or five officials at his disposal;
624 the village chief had one official. The orders were first of all
634 conveyed to them, and they were called upon for any task that their superior assigned to them. They were paid either by the great chief or by the village chief, depending on who their superior was, from his own pocket. There were no other officials in the true sense of the word.

622 The village chief's income consisted of his share of the
634 aforementioned fines meted out by the great chief, also the
681 fines that the village chief himself imposed in minor cases, and the minor services that the men and women of his village performed voluntarily.

c) Popular Assembly

623 The popular assembly has special importance among the
634 Meau. There are two kinds of popular assemblies.

AKha A04
Miao AE5

M 687 /250 cont./ In former times treason may also have been punished by death, but none of my informants could remember a case.

M 696 /251/ Capital punishment is executed in three ways. Beating the criminal to death is regarded as the mildest form, and decapitation is regarded as more severe punishment. As the most severe form, the condemned person is first shot and then beheaded. Capital punishment is not only meted out to men, but also to women.

M [562]

Dhuraratsadorn (1), as he writes, could not learn anything

1. Page 170.

about capital punishment. It was only reported to him that condemned persons "quietly disappeared." The author continues: "Nobody wants to have anything to do with the family of the executed person, and even children refuse to play with his children, because the Meau believe that they are persons of a bad breed."

M [626]

A 673 [681] Among the Akha, too, there are fixed punishments for various offenses. Theft, robbery, arson, bodily injury, and adultery, as well as the violation of the incest prohibitions and false testimony by a witness, are regarded as crimes.

M [673] In contrast to the Meau, the Akha make no distinction between a deed that was premeditated and one caused by negligence. Even the latter is punished as though it had been done intentionally. Like the procedure among the Meau, the

A 692 sentence is made in accordance with established customary law with which the older men are thoroughly familiar through experience. The verdict itself is decided by a majority vote of the assembly of house-owners and the decision is regarded as incontestable; it is announced by the village chief.

A 674 In the villages visited by me, I was told that murder and homicide, as well as kidnapping, had not occurred within human memory; I could therefore not ascertain the penalties for these crimes. It was always said that such serious crimes do not occur among the Akha.

Miao AE5

/253 cont./

692 the office of judge for him. In such cases, if an appeal is made
[622] against his decision, the village chief is then the next higher
596 court. In disputes within a large family, the head of the family
[693] officiates. For serious decisions, assemblies under the chairmanship of the village chief or the great chief are convened, as I have reported in the chapter, "Political Organization."

695 The judge, with the help of witnesses, tries to determine the facts of the case. Special importance is attached to the testimony of the witnesses, and can be, according to my experience, because among the Meau the witnesses always tell the truth, at least subjectively. Dhuraratsadorn (1) seems to have

1. Page 170.

made similar observations: "They believe that the Meau witnesses always tell the truth. In case of a crime, the Meau seldom question witnesses. If someone accuses another, the accused is either convicted or punished, or he may deny his guilt, /254/ in which case a fine is imposed on the accuser in
[681] favor of the accused. If it later turns out that he falsely denied
[626] his guilt, he is expelled from the community and must leave the village, for otherwise he would be killed."

In case of a criminal offense for which there are no witnesses, the investigations are discontinued after three years. Nevertheless, there is no time limitation for crimes. Even if the perpetrator is not discovered until ten years later, perhaps accidentally, he is punished exactly as if he had just been caught in the act.

In civil-law cases, too, when the assertions of the parties are contradictory, the judge tries to determine the truth through witnesses. The underlying principle is that the plaintiff and not the accused must prove his assertions. Oaths and oath formulas are unknown. Witnesses, like the parties, are strictly obliged to
[577] tell the truth, regardless of whether or not it is damaging to the witness or whether there are ties of kinship with the parties or
[687] witnesses. A refusal to give testimony is not permitted; false statements are punished severely.